

PROCLAMATION PRESENTED FOR
DOMESTIC VIOLENCE AWARENESS

PROCLAMATION PRESENTED TO
JO ANN BURNS, DIRECTOR OF SPECIAL EVENTS

Ordinance No. C-7594 provides that hearings shall be set for 5:00 P.M. each Tuesday, and such hearings shall be held at the specified time for which they are set or as soon as practical regardless of the otherwise order of business of the City Council. Hearings scheduled for today:

PUBLIC: OBTAIN SPEAKER CARD FROM CITY CLERK

Opportunity given to first 10 citizens who have submitted speaker cards in writing to the City Clerk to address the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

CONSENT CALENDAR (1-10)

NOTICE TO THE PUBLIC

All matters listed under the Consent Calendar are to be considered routine by the City Council and will all be enacted by one motion. There will be no separate discussion of said items unless members of the City Council, staff or the public request specific items be discussed and/or removed from the Consent Calendar for separate action. Requests by the public for separate consideration should be made to the Mayor's Office or City Clerk Department prior to the beginning of the Council meeting.

DEPARTMENTAL COMMUNICATIONS:

- Auth'd. City Mgr. (Doc. 2)
1. **AUTHORIZE CITY MANAGER** to execute contract with Edward White & Co., LLP, Certified Public Accountants, for audit services related to Article 9 of the Contractor's Agreement, Long Beach Unit, authorizing the City and State to make on-site examinations and audits of the Field Contractor's and Non-operating Contractor's records in relation to oil extraction operations in an amount not to exceed \$249,000. (City Auditor)
- R & F. (Doc. 3)
2. **RECEIVE AND FILE** Quarterly Audit of Cash and Investment Balances as of June 30, 2002. (City Auditor)
- R & F. (Doc. 4)
3. **RECEIVE AND FILE** Technology Services Purchasing Card Pilot Program Review. (City Auditor)
- Auth'd. City Mgr. (Docs. 5-6)
4. **AUTHORIZE CITY ATTORNEY** to execute amendment to contract with Rutan & Tucker in the matter entitled Stop Taking Our Parks, et al., v. City of Long Beach, et al., to increase total amount of contract to \$280,000. (LASC Case No. BS071279) (Law) (Gigi Fast Elk Bannister, Stop Taking Our Parks, requesting item be withdrawn.)
- Rescinded. (Doc. 21)
5. **RESCIND** authorization to the City Manager to execute a Crude Oil Marketing Agreement with West Coast Energy Marketing, LLC, for sale of the oil allocated to the Long Beach Unit Townlot Working Interest Owners. (Oil Properties) (Districts 1,2)

- Auth'd. City Mgr. and auth'd. City Mgr. (Doc. 7)

6. **AUTHORIZE CITY MANAGER** to execute a promotional agreement with Chevrolet Division, General Motors Corporation, for one year and **AUTHORIZE CITY MANAGER** to execute extensions to the agreement and to accept additional vehicles. (Parks, Recreation and Marine and Fire) (Districts 2,3)
- Auth'd. City Mgr. (Doc. 8)

7. **AUTHORIZE CITY MANAGER** to execute a Mills Act Historic Property contract with Matthew D. Dawson and Jose M. Fonseca, owners of 620 Mira Mar Avenue, a qualified historic property in the Belmont Heights Historic District. (City Planning Commission) (District 3)
- R & F. (Doc. 9)

8. **RECEIVE AND FILE** the following minutes:
Harbor Commission, November 18, 2002
- Ref'd. to City Atty. (Docs. 10-18)

9. **REFER TO CITY ATTORNEY** the following damage claims:

Reed Cerael Bingham and Jerelyn Guedalia, (Application for Leave to Present Late Claim and Claim)	Amount Unknown
Shelly Ann Borrell	Amount Unknown
Oscar Castellon	\$ 157.00
Steven E. Davis	Amount Unknown
Marian Fontenette	Amount Unknown
Walter Loo, dba, ETS Environment & Technology Services (Application for Leave to Present Late Claim and Claim)	Amount Unknown
Gilbert Leonard Miller	Amount Unknown
Elizabeth G. Orosco	210.35
Mark Owusu	Amount Unknown
- Approved. (Docs. 19-20)

10. **APPROVE** Proclamations urging citizens to participate in Domestic Violence Awareness Programs toward the elimination of domestic violence; and commending Jo Ann Burns, Director of Special Events, for her many years of dedicated service and extending best wishes on her retirement.

SUGGESTED ACTION: CONCUR IN RECOMMENDATIONS ON CONSENT CALENDAR.

REGULAR AGENDA

DEPARTMENTAL COMMUNICATIONS:

- Req'd. Personnel and Civil Service Committee to meet on or before December 10, 2002, to consider recommended appointments to the City Charter Commissions. (Doc. 22)

11. Mayor Beverly O'Neill, requesting the convening of the Personnel and Civil Service Committee.

Suggested Action: Request Personnel and Civil Service Committee to meet on or before December 10, 2002, in accordance with Section 2.03.065 of the Long Beach Municipal Code to consider recommended appointments to City Charter Commissions.
- Ref'd. to the Housing and Neighborhoods Committee and to the Economic Development and Finance Committee to undertake a study to amend or modify ordinance. (Doc. 23)

12. Councilmember Bonnie Lowenthal, First District, regarding Chapter 21.60 of the Long Beach Municipal Code, that mitigates problems and provides relocation assistance to persons of very low and low-income households.

Suggested Action: Refer to the Housing and Neighborhoods Committee to undertake a study to amend or modify ordinance.

Auth'd. formation of a Task Force consisting of 20 members; two appointed by each Councilmember and the Mayor to prioritize and review funding options for improvements to Fire Facilities and to include the East Police Station; Fire/Police Academy needs; and the Police Chief's recommendations, subject to funding and req'd. a report back to the City Council in six months. (Doc. 24)

Concurred in recommendation of Committee for action within 60 days; ref'd. to City Atty. recommendations of Councilmember Carroll concerning lobbying review of compensation and filing periods, deleting posting of Rules and Regulations by each City Council District, and with regard to conflict of interest issues with outside employment; req'd. City Atty. to provide written advisory opinion practices for guidance; and ref'd. matter of creation of a Task Force to the Economic Development and Finance Committee for a fiscal impact analysis. (Docs. 29)

Concurred in recommendation of Committee. (Doc.30)

Item withdrawn.

Approved Rancho Los Cerritos Master Plan in concept. (Docs. 25-27)

Req'd. City Clerk to file a protest with the Dept. of Alcoholic Beverage Control based on high crime and residences within 100 feet; and determined that the application would not serve the public convenience and necessity. (Doc. 28)

13. Councilmember Rob Webb, Eighth District, regarding proposed Task Force to study Fire Department facilities.
Suggested Action: Form a citizens' task force to address Fire facility improvements, including possible funding sources.
14. Councilmember Bonnie Lowenthal, First District, Chair, Elections Oversight Committee, recommending that the communication regarding the Final Report of the Ethics Review Task Force be received and the City Attorney requested to prepare an ordinance requiring the City to adopt a Code of Ethics for elected officials, appointed officials and employees as recommended in the Final Report of the Ethics Review Task Force; prepare an ordinance identifying those compensated to influence City decisions as lobbyists and requiring them to register with the City annually, including components as set forth in the Final Report of the Ethics Review Task Force and excluding activities which do not constitute lobbying as set forth; and train elected and appointed officials regarding lobbying activities, registration and disclosure requirements.
Suggested Action: Concur in recommendation of Committee.
15. Councilmember Rob Webb, Eighth District, Chair, Economic Development and Finance Committee, recommending that the communication regarding the budget evaluation process update be received and filed.
Suggested Action: Concur in recommendation of Committee.
16. ~~Director of Financial Management, transmitting impact of budget reductions for Fiscal Year 2003.~~
~~Suggested Action: Receive and file report.~~
17. Director of Parks, Recreation and Marine, transmitting Rancho Los Cerritos Master Plan "in concept." (District 8)
Suggested Action: Approve Rancho Los Cerritos Master Plan in concept.
18. Chief of Police, reporting on the application of Nuevo Guadalajara Market Incorporated, dba Guadalajara Market, for an alcoholic beverage license at 206 East Anaheim Street. (District 1)
Suggested Action: Determine if application would serve the public convenience and necessity; and receive and file application, with or without conditions.

R & F. (Doc. 31)	<div>19. Chief of Police, reporting on the application of H.J.K.D. Enterprises Incorporated, dba New York Bryan’s, for an alcoholic beverage license at 213 Pine Avenue, Suite A. (District 2)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
R & F. (Doc. 32)	<div>20. Chief of Police, reporting on the application of Dream Cruises Incorporated, dba Adventure Yacht Charters, for an alcoholic beverage license at 100 Aquarium Way, Rainbow Harbor Dock 6A. (District 2)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
R & F. (Doc. 33)	<div>21. Chief of Police, reporting on the application of Full House Enterprises, dba Quinn’s Irish Pub, for an alcoholic beverage license at 200 Nieto Avenue, Space A. (District 3)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
R & F. (Doc. 34)	<div>22. Chief of Police, reporting on the application of Glenn Charles McCormack, dba 3 J Sports Bar & Grill, for an alcoholic beverage license at 1820 West Wardlow Road. (District 7)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
Req’d. City Clerk to transmit conditions to the Dept. of Alcoholic Beverage Control as set forth in communication from Councilmember Lerch. (Docs. 35-36)	<div>23. Chief of Police, reporting on the application of V.M. Associates Incorporated, dba Flamingo Gentlemen’s Club, for an alcoholic beverage license at 2421 East Artesia Boulevard. (District 9) (Councilmember Lerch, transmitting conditions for application.)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
R & F. (Doc. 37)	<div>24. Chief of Police, reporting on the application of Vanessa Nguyen Hua, dba A & D Mini Mart, for an alcoholic beverage license at 6151 Atlantic Avenue. (District 9)</div> <div>Suggested Action: Receive and file application, with or without conditions.</div>
Auth’d. City Mgr. to execute an agreement with Gordian Group in an amount not to exceed \$350,000, for a period of three years, and authorizing amendments to extend term. (Doc. 38)	<div>25. Director of Public Works, regarding agreement with Gordian Group to provide services relating to the implementation of Job Order Contracting Service and use of copyrighted documents and software. (Citywide)</div> <div>Suggested Action: Authorize City Manager to execute an agreement with the Gordian Group in an amount not to exceed \$350,000, for a period of three years, and authorizing amendments to extend term.</div>
Adopted Plans and Specifications No. R-6595 and auth’d. City Mgr. to award contract in an estimated amount of \$3,200,000 and execute all necessary documents related to contract and any authorized amendments. (Doc. 39)	<div>26. Director of Public Works, transmitting Plans and Specifications No. R-6595 and Award of Contract to Silvia Construction, Inc., for Annual Contract for Sidewalk Repairs, Curb Ramps, and Related Improvements. (Citywide)</div> <div>Suggested Action: Adopt Plans and Specifications No. R-6595; and authorize City Manager to award contract, in an estimated amount of \$3,200,000 and execute all necessary documents related to contract and any authorized amendments.</div>

Adopted Plans and Specifications No. R-6581; and auth'd. City Mgr. to award contract in an estimated amount of \$1,146,551; and execute contract and all necessary documents related to contract. (Doc. 40)

27. Director of Public Works, transmitting Plans and Specifications No. R-6581 and Award of Contract to Pavement Coatings Company for Slurry Seal of Various Streets (Area 5). (Citywide)

Suggested Action: Adopt Plans and Specifications No. R-6581; and authorize City Manager to award contract in an estimated amount of \$1,146,551; and execute contract and all necessary documents related to contract.

Adopted the following positions regarding the selection of MAGLEV alignments for further study: (1) NEUTRAL on the West Los Angeles-Union Station-Ontario-March Air Force Base corridor; (2) SUPPORTED inclusion of the Orange Line corridor; and (3) OPPOSED inclusion of a 405 Freeway corridor. (Doc. 41)

28. Director of Public Works, regarding the adoption of a position relative to the Southern California Association of Governments (SCAG) Magnetic Levitation (MAGLEV) High Speed Rail Program.

Suggested Action: Adopt the following positions regarding the selection of MAGLEV alignments for further study: (1) NEUTRAL on the West Los Angeles-Union Station-Ontario-March Air Force Base corridor; (2) SUPPORT inclusion of the Orange Line corridor; and (3) OPPOSE inclusion of a 405 Freeway corridor.

Adopted the FY 03 Disadvantaged Business Enterprise Program that implements the rules and procedures of Title 49 of the Code of Federal Regs., Part 26, for projects funded by the U.S. Dept. of Transportation; and auth'd. City Mgr. to transmit to Caltrans the City's intention to continue membership in the Unified Certification Program. (Doc. 42)

29. Director of Public Works, transmitting update to the City of Long Beach Disadvantaged Business Enterprise Program for U.S. Department of Transportation Capital Improvement Projects. (Citywide)

Suggested Action: Adopt the FY 03 Disadvantaged Business Enterprise Program that implements the rules and procedures of Title 49 of the Code of Federal Regulations, Part 26, for projects funded by the U.S. Department of Transportation; and authorize City Manager to transmit to Caltrans the City's intention to continue membership in the Unified Certification Program.

Item withdrawn.

30. ~~Director of Technology Services, regarding agreement to purchase a Web Content Management System from Pixelpushers, Inc., dba Civica Software. (Citywide)~~

~~Suggested Action: Authorize City Manager to execute agreement with Pixelpushers, Inc., dba Civica Software, for the purchase of a Web Content Management System in an amount not to exceed \$175,000.~~

RESOLUTIONS:

Adopted Resolution No. C-28117. (Doc. 44)

31. Approving and authorizing the destruction of certain records, papers, and writings by the Department of Public Works. (City Clerk)

Suggested Action: Adopt Resolution.

- Adopted Resolution
No. C-28118. (Doc. 45)

32. Voicing support of the effort of the Los Cerritos Improvement Association to apply for and obtain a California Department of Forestry and Fire Protection Urban & Community Forestry Program Proposition 12 Grant under the Watershed, Wildlife and Parks Improvement Bond Act of 2002. (Community Development) (District 8)

Suggested Action: Adopt Resolution.
- Adopted Resolution
No. C-28119. (Doc. 46)

33. Establishing a monthly beach parking permit for beach area parking lots. (Parks, Recreation and Marine) (Districts 2,3)

Suggested Action: Adopt Resolution authorizing a monthly beach day parking permit to be available at the rate of \$30 per calendar month, or partial month, payable in advance for up to 12 months.

ORDINANCES:

- First reading.

34. Amending the Long Beach Municipal Code, by amending Section 2.63.070.F relating to procedures for administering the Certificate of Appropriateness. (Planning and Building) (Citywide)

Suggested Action: Declare Ordinance read the first time and laid over to the next regular meeting of the City Council for final reading.
- Adopted Ordinance
No. C-7834.

35. Amending the Long Beach Municipal Code, relating to the Airport Advisory Commission. (Law)

Suggested Action: Declare Ordinance read and adopted as read.
- Adopted Ordinance
No. C-7835.

36. Adopting an amendment to Ordinance No. C-6496, adopted July 5, 1988, and amended on January 24, 1989, July 11, 1989, December 5, 1989, March 20, 1990, July 3, 1990, September 18, 1990, July 2, 1991, July 7, 1992, January 26, 1993, August 24, 1993, June 28, 1994, July 18, 1995, November 28, 1995, October 1, 1996, March 25, 1997, October 7, 1997, October 27, 1998, April 20, 1999, October 19, 1999, October 17, 2000, October 30, 2001, and March 19, 2002, relating to departmental organization of the City of Long Beach. (Human Resources)

Suggested Action: Declare Ordinance read and adopted as read.

NEW BUSINESS:

- Rec'd. and made part of
permanent record. (Doc. 1)

37. Affidavit of Service for special meeting held Tuesday, November 26, 2002.

38.

39.

PUBLIC: IMMEDIATELY PRIOR TO ADJOURNMENT

Opportunity given to citizens to address the City Council on non-agenda items who have not already addressed the City Council on non-agenda items. (Currently limited to three minutes unless extended by City Council.)

November 26, 2002

ADJOURNMENT:

REMINDERS: Economic Development and Finance Committee at 3:30 P.M.
Economic Development and Finance Committee (Attorney/Client) at 4:50 P.M.
December 3, 2002, City Council Meeting cancelled due to National League of
Cities Conference.
December 10, 2002, Hearing on Entertainment Permit with Dancing at Tony's
French Dips, 701 Long Beach Blvd. (District 1)
December 10, 2002, Hearing on Taxable Lease Revenue Bonds – American
Golf.

NOTE: The City Council Agenda may be obtained from the City Clerk Department prior to the meeting or can be mailed to the public if the City Clerk is provided self-addressed, stamped envelopes mailed to: City Clerk Department, City Hall Plaza Level, 333 W. Ocean Boulevard, Long Beach, California, 90802. You may access the agenda on the World Wide Web Internet address of **www.ci.long-beach.ca.us/cityclerk** to view it. You may contact us through the use of E-Mail at **cityclerk@ci.long-beach.ca.us** for correspondence purposes. The public may review agenda items in the City Clerk Department or the Government Publications Section of the Main Library and the Branch Libraries. The City of Long Beach provides reasonable accommodations pursuant to the Americans with Disabilities Act of 1990. If a special accommodation is desired, or if you need the agenda provided in an alternate format, please phone Jonda Matrone at (562) 570-6765 in the City Clerk Department 48 hours prior to the meeting. To communicate directly to the City Clerk Department Telephone Device for the Deaf (TDD), phone (562) 570-6626. Inquire at the City Council Chamber Audio-Visual Room for an assistive listening device.

/JM